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STATE OF MICHIGAN

THIRD JUDICIAL CIRCUIT COURT - WAYNE COUNTY

THE PEOPLE OF THE STATE OF MICHIGAN,

-vs-

Case No. 09-25646

ERIC ARLINGTON OGILVIE,

Defendant.

JURY TRIAL

BEFORE THE HONORABLE **PATRICIA S. FRESARD**, CIRCUIT JUDGE

Detroit, Michigan on Thursday, February 11th, 2010.

APPEARANCES:

For the People: SUNITA DODDAMANI, (P67459)
ASSISTANT PROSECUTING ATTORNEY
1441 St. Antoine
Detroit, Michigan 48226
(313) 224-5777

For the Defendant: MATTHEW S. KOLODZIEJSKI, (P71068)
Attorney at Law
500 Griswold, Ste 2340
Detroit, Michigan 48226
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REPORTED BY: Sharon Burrell, CSR-5520
Certified Shorthand Reporter
(313) 224-5210

1 COMPUTER GENERATED INDEX AT END OF TRANSCRIPT

2 Detroit, Michigan

3 Thursday, February 11th, 2010

4 At or about 11:23 a.m.

5 (Court, Counsel, and Defendant present.)

6 THE COURT: This is Case No. 09-25646,
7 People versus Eric Ogilvie here today for a
8 continuation of trial.

9 MS. DODDAMANI: Sunita Doddamani for the
10 People.

11 MR. KOLODZIEJSKI: Matthew Kolodziejcki on
12 behalf of Eric Ogilvie.

13 THE COURT: Counsel, we had indicated
14 previously that you -- stipulation to send in request
15 for instructions.

16 I think there were two instructions sent in.

17 First the jury had requested an instruction
18 for the element of the charges and that was sent in.
19 And second, they requested information about
20 whether -- I can't remember exactly the way it was
21 worded, but whether that the instruction on whether
22 they could convict -- oh, here it is.
23 Could he be guilty of one and not the other or vis
24 versa, that instruction, and the instruction was sent
25 in.

1 It's just a short instruction that says the
2 Defendant is charged with two counts, that is, these
3 counts. You may find the Defendant guilty of one or
4 both or not guilty. That instruction was sent in.
5 All right.

6 Other than that I don't believe there were
7 any other request.

8 The last note indicates they have reached a
9 verdict.

10 Are you ready to receive this verdict?

11 MS. DODDAMANI: Yes, Judge.

12 MR. KOLODZIEJSKI: Yes.

13 THE COURT: Please send the jury in.

14 THE SHERIFF: All rise. (At about 11:25 a.m.
15 jurors return to courtroom)

16 You maybe seated.

17 THE COURT: Members of the jury. Thank you.
18 I'm in receipt of a note indicating you have a
19 verdict. Who will speak for you?

20 Thank you, sir.

21 Mrs. Mendoza will accept this verdict from
22 you. Please stand.

23 THE CLERK: Foreperson, please state your
24 name for the record.

25 THE FOREPERSON: Anthony Putz.

1 THE COURT: How do you find the Defendant
2 Eric Arlington Ogilvie as to Count 1?

3 THE FOREPERSON: Guilty.

4 THE COURT: As to Count 2?

5 THE FOREPERSON: Guilty.

6 THE COURT: Members of the jury, please
7 stand. Raise your right hands.

8 Members of the jury, you say upon your oath
9 that you find the Defendant Eric Arlington Ogilvie
10 guilty of felonious assault and guilty of possession
11 of a firearm in the commission or attempted commission
12 of a felony, so say you, Mr. Foreperson, so say you
13 all members of the jury?

14 THE JURORS: Yes.

15 THE CLERK: Please be seated.

16 THE COURT: Is there any request for polling
17 the jury?

18

19 MR. KOLODZIEJSKI: Yes, your Honor, please.

20 THE CLERK: Juror seat one was that and is
21 that your verdict?

22 JUROR NO. 1: Yes.

23 THE CLERK: Juror in seat three was that and
24 is that your verdict?

25 JUROR NO. 3: Yes.

1 THE CLERK: Juror in seat four was that and
2 is that your verdict?

3 JUROR NO. 4: Yes.

4 THE CLERK: Juror in seat five was that and
5 is that your verdict?

6 JUROR NO. 5: Yes.

7 THE COURT: Juror in seat six was that and is
8 that your verdict?

9 JUROR NO. 6: Yes.

10 THE COURT: Juror in seat seven was that and
11 is that your verdict?

12 JUROR NO. 7: It was hard, but yes.

13 THE COURT: Juror in seat eight was that and
14 is that your verdict?

15 JUROR NO. 8: Yeah.

16 THE COURT: Juror in seat nine was that and
17 is that your verdict?

18 JUROR NO. 9: Yes.

19 THE CLERK: Juror in seat ten was that is
20 that your verdict?

21 JUROR NO. 10: Yes.

22 THE COURT: Juror in seat 11 was that and is
23 that your verdict?

24 JUROR NO. 11: Yes.

25 THE CLERK: Juror in seat 13 was that and is

1 that your verdict?

2 JUROR NO. 13: Yes.

3 THE CLERK: Juror in seat 14 was that and is
4 that your verdict?

5 JUROR NO. 14: Yes.

6 THE COURT: Thank you members of the jury.
7 I'm going to ask you to return to the jury room. I
8 want to thank you personally for your time and efforts
9 on this case and we'll release you within ten minutes.

10 THE SHERIFF: All rise.

11 (At about 11:27 a.m. jury exit courtroom)

12 THE COURT: We'll get dates for sentencing.

13 THE CLERK: Bond continued, Judge?

14 THE COURT: No.

15 MS. DODDAMANI: Judge, we are going to move
16 for remand.

17 THE COURT: The Defendant has been convicted
18 of felony firearm which is a mandatory statutory two
19 year prison sentence. So that the Court will remand
20 the Defendant.

21 THE CLERK: Sentencing will be March 1st at
22 9:00 o'clock.

23 (At about 11:28 a.m. proceedings
24 concluded.)

25

C E R T I F I C A T E

STATE OF MICHIGAN)

)

COUNTY OF WAYNE)

I, Sharon Burrell, a Court Reporter, in and
for the County of Wayne, State of Michigan, do hereby
certify that I have reported stenographically, by means of
computer-aided transcription, the proceedings had and
testimony taken in the above-entitled matter.

I do hereby certify that the foregoing
transcript constitutes a full, true, and complete
transcript of said stenographic notes.

A handwritten signature in cursive script, reading "Sharon Burrell", written in dark ink.

Sharon Burrell, CSR-5520

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WITNESSES: PEOPLE

None

EXHIBITS:

None

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